

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

MARK SAUNDERS,

Plaintiff,

v.

ROSALIND PICARD, et al.,

Defendants.

Civil Action No. 21-cv-11240-AK

ORDER

August 9, 2022

A. KELLEY, D.J.

Upon review of Plaintiff's Show Cause Response (Dkt. #11) and Amended Complaint (Dkt. #12), the Court hereby orders:

1. The clerk shall issue summonses for all defendants.
2. Saunders shall ensure that a summons, this order, and the amended complaint are served on each defendant in accordance Rule 4 of the Federal Rules of Civil Procedure.
3. Because Saunders is proceeding *in forma pauperis*, he may elect to have the United States Marshals Service ("USMS") complete service with all costs of service to be advanced by the United States. *See* 28 U.S.C. § 1915(d). If so asked by Saunders, the USMS shall serve the summons, amended complaint, and this order as directed by him. Saunders is responsible for providing the USMS all copies for service and for completing a USM-285 form for each party to be served. The clerk shall provide Saunders with the form and instructions for service by the USMS.

4. Saunders shall have 90 days from the date of the issuance of the summonses to complete service. Failure to comply with this deadline may result in dismissal of the case without prior notice to Saunders. *See* Fed. R. Civ. P. 4(m); L.R. 4.1 (D. Mass.). Service on a defendant is complete when the defendant receives the summons and amended complaint in accordance with Fed. R. Civ. P. 4, not when the USMS (or other person effecting service) receives the papers to be served on a defendant. The plaintiff must provide papers for service to the USMS (or other person effecting service) well before the 90-day service deadline to ensure that service will be completed in a timely manner.

SO ORDERED.

/s/ Angel Kelley
UNITED STATES DISTRICT JUDGE